

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL PORTUGAL, )  
Plaintiff(s), ) No. C 08-0276 CRB (PR)  
v. ) ORDER  
N. GRANNIS, et al., ) (Doc # 17)  
Defendant(s). )

Plaintiff, a prisoner at High Desert State Prison ("HDSP") in Susanville, California, filed a pro se civil rights complaint for damages under 42 U.S.C. § 1983 alleging that, while incarcerated at Salinas Valley State Prison ("SVSP") in Soledad, California, prison dentists "botched" several dental surgical procedures and other prison officials ignored his pleas for adequate dental care. Per order filed on May 27, 2008, the court found that plaintiff's allegations state a cognizable § 1983 claim for damages against the named SVSP defendants and ordered the United States Marshal to serve them.

Plaintiff has now filed a second motion for a temporary restraining order ("TRO)/preliminary injunction challenging the conditions of his confinement at HDSP. The motion (doc # 17) is DENIED without prejudice to filing an action in the Eastern District of California, where HDSP is located. The instant action will be limited to damages for defendants' actions/omissions while plaintiff was incarcerated at SVSP, which is located in this district.

SO ORDERED.

DATED: Sept. 8, 2008

  
CHARLES R. BREYER  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

DANIEL PORTUGAL,

Case Number: CV08-00276 CRB

Plaintiff,

**CERTIFICATE OF SERVICE**

v.

N GRANNIS et al,

Defendant.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 8, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Daniel Portugal V-51068  
High Desert State Prison  
B4-113  
P.O. Box 3030  
Susanville, CA 96127

Dated: September 8, 2008

Richard W. Wiking, Clerk  
By: Barbara Espinoza, Deputy Clerk